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7 MARBLE BRIDGE FUNDING GROUP,  
8 INC.,

9 Plaintiff,

10 v.

11 NATURE'S OWN PHARMACY, LLC, et  
12 al.,

13 Defendants.

14 Case No. [5:12-cv-01839 EJD](#)

15 **ORDER TO SHOW CAUSE**

16 On December 2, 2012, the court granted an unopposed Motion to Withdraw as Counsel  
17 filed by the attorneys for Defendants Nature's Own Pharmacy, LLC ("NOP"), Richard Wallace  
18 and Marsha Kay Holloway (collectively, "Defendants"). See Docket Item No. 59. As part of that  
19 order, the court noted that NOP could not proceed without an attorney and allowed it time to  
20 locate alternate counsel. The court further advised NOP that failure to retain counsel within the  
21 time provided could result in the entry of default judgment against it.

22 A significant amount of time has passed since counsel's withdrawal and an attorney has  
23 not appeared in this action on behalf of NOP. In addition, the docket reveals that neither Wallace  
24 nor Holloway participated in the preparation of a Joint Preliminary Pretrial Conference Statement  
25 in anticipation of the upcoming conference on December 5, 2014. It therefore appears to the court  
26 that NOP, Wallace and Holloway have abandoned their defense.

27 Accordingly, the court hereby issues an order to show cause why the Answer of NOP,

1 Wallace and Holloway should not be stricken. If these parties do not, by **December 19, 2014**,  
2 demonstrate good cause in writing why such action should not be taken, the court will strike the  
3 Answer and allow Plaintiff to seek entry of default and default judgment against them. No hearing  
4 will be held on the order to show cause unless otherwise ordered by the court.

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**IT IS SO ORDERED.**

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Dated: December 1, 2014



EDWARD J. DAVILA  
United States District Judge

United States District Court  
Northern District of California

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